

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WILLIAM WESNER, Individually and On)
Behalf of All Others Similarly Situated,)
Plaintiff,) No. 07 Civ. 11225 (RJS)
vs.)
UBS AG, PETER A. WUFFLI, CLIVE)
STANDISH and DAVID S. MARTIN,)
Defendants.)

ROBERT GARBER, Individually and On)
Behalf of All Others Similarly Situated,)
Plaintiff,) No. 08 Civ. 00969 (RJS)
vs.)
UBS AG, PETER A. WUFFLI, CLIVE)
STANDISH and DAVID S. MARTIN,)
Defendants.)

**MOTION OF THE INSTITUTIONAL INVESTOR GROUP
FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF,
AND APPROVAL OF ITS SELECTION OF COUNSEL**

Deka International (Ireland) Ltd (“Deka-Ireland”), International Fund Management, S.A.(Luxemburg) (“IFM-Luxemburg”), Union Asset Management Holding AG (“Union”), Landesbank Berlin Investment GmbH (“LBB-Invest”); Erste-Sparinvest Kapitalanlagegesellschaft m.b.H. (“Erste-Sparinvest”), and the Arkansas Public Employees Retirement System (“APERS”) (collectively, the “Institutional Investor Group”) hereby move this Court for an Order:

1. Consolidating the above-captioned actions;
2. Appointing the Institutional Investor Group as Lead Plaintiff; and
3. Appointing the law firms of Grant & Eisenhofer P.A. and Motley Rice LLC to serve as co-Lead Counsel.

This Motion is supported by the accompanying Memorandum of Law, the accompanying Declaration of Sharan Nirmul and the exhibits attached thereto, a proposed order, and all of the prior pleadings and proceedings had herein, and such other written and/or oral argument as may be presented to the Court.

Dated: February 11, 2008

Respectfully submitted,

s/ James J. Sabella
Jay W. Eisenhofer (JE-5503)
James J. Sabella (JS-5454)
Sharan Nirmul (SN-2075)
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*Counsel for The Institutional Investor Group and
Proposed Co-Lead Counsel for the Class*

Of Counsel:

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CERTIFICATE OF SERVICE

The undersigned, Counsel for the Institutional Investor Group, hereby certifies that on this date, a copy of the foregoing MOTION OF THE INSTITUTIONAL INVESTOR GROUP and accompanying memorandum of law and declaration were served on all counsel registered for ECF service on the above dockets.

Date: February 11, 2008

/s/ Sharan Nirmul
Sharan Nirmul (SN-2075)
GRANT & EISENHOFER P.A.
485 Lexington Avenue, 29th Floor
New York, NY 10017

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Defendants.)

**[PROPOSED] ORDER CONSOLIDATING ACTIONS,
APPOINTING LEAD PLAINTIFF, AND LEAD AND LIAISON COUNSEL**

Having considered the Motion for Consolidation, Appointment as Lead Plaintiff and Approval of Its Selection of Counsel filed by Deka International (Ireland) Ltd, International Fund Management, S.A. (Luxemburg), Union Asset Management Holding AG, Landesbank Berlin Investment GmbH; Erste-Sparinvest Kapitalanlagegesellschaft m.b.H., and the Arkansas Public Employees Retirement System (collectively, the “Institutional Investor Group”) pursuant to § 21D(a)(3)(B) of the Securities Exchange Act of 1934 as amended by the Private Securities Litigation Reform Act (“PSLRA”), 15 U.S.C. § 78u-4(a)(3)(B), and for good cause shown, the Court hereby enters the following Order:

1. The Court hereby consolidates the above-captioned actions, and any later-filed securities class actions involving the same claims. The style of this consolidated case shall be *In re UBS AG Securities Litigation.*
2. The Court hereby determines that the Institutional Investor Group is the most adequate plaintiff. The Court appoints the Institutional Investor Group to be the Lead Plaintiff and to represent the interests of the class in the above-referenced action.
3. The law firms of Grant & Eisenhofer P.A. and Motley Rice LLC are appointed to serve as co-Lead Counsel.
4. Lead Counsel shall have the following responsibilities and duties, to be carried out either personally or through counsel whom Lead Counsel shall designate as appropriate:
 - a. to coordinate the briefing and argument of any and all motions;
 - b. to coordinate the conduct of any and all discovery proceedings;
 - c. to coordinate the examination of any and all witnesses in depositions;
 - d. to coordinate the selection of counsel to act as spokesperson at all pretrial conferences;

- e. to call meetings of the plaintiffs' counsel as they deem necessary and appropriate from time to time;
- f. to coordinate all settlement negotiations with counsel for defendants;
- g. to coordinate and direct the pretrial discovery proceedings and the preparation for trial and the trial of this matter and to delegate work responsibilities to selected counsel as may be required;
- h. to coordinate the preparation and filings of all pleadings; and
- i. to supervise all other matters concerning the prosecution or resolution of the Action.

5. With respect to scheduling and/or procedural matters, Defendants' Counsel may rely upon all agreements with Lead Counsel.

6. No pleadings or other papers shall be filed or discovery conducted by any plaintiff in the Consolidated Action except as directed or undertaken by Lead Counsel.

7. Counsel in any related action that is consolidated with the Consolidated Action shall be bound by this organizational structure.

8. With respect to any documents that are not subject to electronic filing as specified in the Court's electronic filing rules and procedures, Defendants shall effect service of papers on Plaintiffs by serving copies on -Lead Counsel by overnight delivery service or hand delivery. With respect to any documents that are not subject to electronic filing as specified in the Court's electronic filing rules and procedures, Plaintiffs shall effect service of papers on Defendants by serving copies on each of their counsel by overnight delivery service or hand delivery. Courtesy copies of all filings so delivered shall be sent by telecopy to Lead Counsel, or Defendants' counsel, as applicable.

IT IS SO ORDERED.

Date:_____

HON. RICHARD J. SULLIVAN